

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO
CHAIRPERSON
CEQ

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES

DATE: May 22, 2013

TIME: 9:35 am to 10:25 am

LOCATION: Arthur Kunz Library
H. Lee Dennison Bldg. – 4th Floor
Veterans Memorial Highway, Hauppauge, New York

PRESENT:

Gloria Russo, Chair
Eva Growney
Michael Kaufman
Dan Pichney
Mary Ann Spencer
Larry Swanson

ABSENT:

James Bagg, Vice-Chair
Hon. Kara Hahn
Thomas Gulbransen
Richard Machtay

CAC REPRESENTATIVES:

None

STAFF:

Andrew Freleng, Chief Planner
John Corral, Planner
Christine DeSalvo, Senior Clerk Typist
Tom Young, Assistant County Attorney

GUESTS:

Sarah Lansdale, Director, Suffolk County Department of Economic Development and Planning,
Division of Planning and Environment

Richard Martin, Director of Historic Services, Suffolk County Dept. of Parks, Recreation &
Conservation

John Sohngen, Assistant PH Engineer, Suffolk County Health Services Waste Water
Management

Margaret Bermel, Suffolk County Health Department

Minutes:

Minutes for the April 17, 2013 CEQ meeting were reviewed and discussed. A motion was made by Mr. Kaufman to approve the April 17, 2013 minutes. The motion was seconded by Ms. Growney.

Motion carried.

Mr. Swanson asked a question on whether all Open Meetings Law requirements had been met for this meeting due to the fact that the regularly scheduled May 15, 2013 CEQ meeting was canceled and this meeting was re-scheduled on short notice. Director Lansdale asked the Council if they would like a legal opinion from the County Attorney's office. The Council said that they would like a legal interpretation on the Open Meetings Law compliance. Assistant County Attorney, Tom Young, discussed the Open Meetings Law requirements with the Council. It was determined based Section 104 of the Public Officers Law that because the Public Notice for this May 22, 2013 Meeting had been posted on the Suffolk County Website and the news media had been notified this CEQ Meeting did meet the Open Meetings Law requirements.

Mr. Corral noted that at last month's CEQ meeting there was a request to write a letter to the Suffolk County Department of Public Works requesting the release of a Request for Proposal (RFP) to do a Master Plan for the Hubbard County Park. Mr. Corral noted that the Council had also stated that this should first be discussed with Nick Gibbons with the Department of Parks because he will be supervising the RFP process. Mr. Corral informed the CEQ that he had spoken with Nick Gibbons and it was felt that a letter from CEQ to the Department of Public Works could be helpful. CEQ requested that the Staff draft a letter to the Suffolk County Department of Public Works and then send this letter to Chairperson Russo, Ms. Growney and Ms. Spencer for review.

Correspondence:

None

Public Portion:

None

Historic Trust Docket:

Director's Report:

Mr. Martin updated the Council on the following:

- **Housing Program:**
Mr. Martin noted that the mailings had gone out regarding the three County housing vacancies. The County received a lot of interest regarding the Gate House at West Sayville, and the Isaac Mills House in St. James. Mr. Martin stated that there has not been much interest for the Robinson Duck Farm house and noted that the rent may be too high and may need to be reevaluated by the Committee.

- **Custodial Agreements:**
Mr. Martin noted that the Sagtikos Manor Historical Society contract has been completed by the Parks Department and has been sent to the County Attorney's office for review. Mr. Martin also informed CEQ that the other custodial agreement contracts are still under review.

- **Current Events:**
Mr. Martin announced that there was a successful event on Sunday, May 19, 2013 at the Sagtikos Manor in honor of the 50th Anniversary of the Sagtikos Manor Historical Society.

Mr. Kaufman asked Mr. Martin about Suffolk County Introductory Resolution 1310-2013 which would authorize a concession agreement at the Vanderbilt Museum. Mr. Martin informed CEQ that this property is listed on the National Register as a Historic Site and would fall under the Council's review as a historic site. Mr. Martin also informed the council that at the moment he doesn't know all the details but that he doesn't see any problems with the concession agreement. Mr. Martin noted that any changes to the buildings themselves would need to be reviewed by the CEQ.

Project Review:

Recommended Unlisted Actions:

- A. Proposed Pedestrian Safety Improvements on CR10, Elwood Road, Town of Huntington.

Project tabled because the representative from Suffolk County Department of Public Works was not able to attend today's meeting. This project will be reviewed at the next CEQ meeting on June 19, 2013.

Recommendations for LADS Report:

A. Ratification of Recommendations for Legislative Resolutions Laid on the Table April 23, 2013.

Mr. Kaufman asked if the resolution pertaining to the Southampton Hospital and the Suffolk County Health Care Centers was included on the April 23, 2013 LADS report. Mr. Corral informed the CEQ that resolutions related to the Suffolk County Health Centers and Southampton Hospital are on both the April 23, 2013 LADS report as IR 1365-2013 and the May 7, 2013 LADS Report as IR 1428-2013. It was noted by Chairman Russo that IR 1365-13 was for the funding of the proposal. There was no further discussion.

Ms. Spencer had a question regarding IR 1310-13 - Authorizing a Concession Agreement at the Vanderbilt Museum. Ms. Spencer questioned whether Mr. Martin should have the opportunity to review the details of this concession agreement. Mr. Corral noted that the resolution was reviewed by Staff and that it is for a concession agreement and this agreement does not appear to result in any construction alterations to the Museum. It was determined that Mr. Martin would research the details of the concession agreement and if he found any issues that should be addressed by CEQ he would notify Mr. Corral prior to the June 6, 2013 Legislative Meeting.

Ms. Growney asked for a little background information on IR 1358-13 which establishes registration requirements for pool maintenance businesses operating in Suffolk County and IR1359-13 which would further regulate the installation and servicing of swimming pools and spas in Suffolk County. Ms. Growney had questions about the resolutions including whether the term "spas" was pertaining to exterior installation of spas or if it was referring to the bigger picture commercial use. Mr. Corral informed the Council that he had reviewed the introductory resolutions and it appeared that the resolutions dealt with licensing and administration of pools and spas and not the actual construction of pools or spas which would have an impact on the environment. The CEQ requested that IR1359-13 be printed so that the resolution could be reviewed. The CEQ reviewed IR1359-13 resolution and it was determined that it was an administrative action.

Mr. Swanson asked a question about the status of the Foley Nursing Home. Mr. Corral informed the Council that there is a resolution, IR 1357-2013, relating to the Foley Nursing Home on the April 23, 2013 LADS Report. Mr. Corral informed the committee that this resolution directs the Division of Real Property and Acquisition to develop a plan to sell the Foley Nursing Home. Mr. Corral also noted that this resolution states that prior to sale of the Nursing Home this plan would need to be reviewed and approved by the Suffolk County Legislature and therefore IR 1357-2013 is recommended as a Type II Action (21)(27).

Mr. Kaufman made a motion to accept staff recommendations as presented for the April 23, 2013 Legislative Resolutions. The motion was seconded by Ms. Growney. Motion carried.

B. Ratification of Recommendations for Legislative Resolutions Laid on the Table May 7, 2013

Mr. Kaufman briefly discussed IR1428-2013 - Authorizing the County Executive to enter into an

agreement for the operation of a consolidated health center located on Southampton Hospital Campus and approving consolidation and operation of the existing Kraus Family Health Center at Southampton and the Suffolk County Health Center at East Hampton into a single FQHC Health Center to be operated by Hudson River Healthcare, Inc. Mr. Kaufman noted that while this is a substantive resolution it is outside of the CEQ's purview.

Mr. Pichney asked Mr. Martin about IR 1411-2013 and whether there were historic properties involved with the resolution. Mr. Martin stated that the resolution could include historic properties but that the resolution is for all County Parks and provides funding for things like chain links fences that are used to secure Parks.

Mr. Swanson had a question about IR 1391-2013 - Amending the 2013 Capital Budget and Program and accepting and appropriating funds in connection with the Sewer District No. 21 SUNY - Improvement Project. Mr. Swanson noted that he believes it is not a good proposal and he thinks the County and the State should seek a waiver to appeal the EPA decision that is resulting in this proposed action. Mr. Corral noted this resolution is for the funding of the project that the CEQ had previously reviewed the project and SEQRA was completed by Resolution 647-2011.

Mr. Kaufman made a motion to accept staff recommendations as presented for the May 7, 2013 Legislative Resolutions. The motion was seconded by Ms. Growney. Motion carried.

C. Table at request of Legislator – I.R. 1252-2013

Mr. Corral noted that this resolution was reviewed by the CEQ on a previous LADS report and that the title on the LADS report stated that the resolution was for the transfer of the property within the County. However, when the resolution was reviewed in further detail it was noted the resolution also involved the demolition of a large structure. As a result Staff felt that CEQ should review its recommendation for this resolution. Mr. Corral also noted that the Legislative sponsor for this resolution has requested that CEQ table its SEQRA recommendations for the IR 1252-2013 while additional details on the project are worked out. Mr. Kaufman stated that this resolution is for the old Bavarian Inn property and that a Phase I Environmental Site Assessment has not been done for the property.

Discussion on I.R. 1252-2013 was tabled at the request of the Legislator.

Public Portion:

No comments were presented at this time.

CAC Concerns:

None

Meeting Adjourned.